



**COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING AND BUILDING  
STAFF REPORT**

**Tentative Notice of Action**

Promoting the wise use of land

MEETING DATE January 15, 2016 EFFECTIVE DATE January 29, 2016	CONTACT/PHONE Stephanie Fuhs (805)781-5721 sfuhs@co.slo.ca.us	APPLICANT Vance Van Petten	FILE NO. DRC2014-00097
<b>SUBJECT</b> Request by <b>VANCE VAN PETTEN</b> for a Minor Use Permit to allow for demolition of an existing 1,316 square foot single family residence and construction of a new 4,372 square foot single family residence with 863 square foot attached garage. The proposal includes a side setback adjustment to allow for a 22 foot side setback instead of the required 30 feet. The project will result in the disturbance of approximately 1.07 acres of a 5.16 acre parcel. The proposed project is within the Residential Suburban land use category and is located at 916 Mesa View Drive (Highway 1), approximately 0.5 miles south of the Mesa View Drive/Halcyon Road intersection, approximately two miles south of the City of Arroyo Grande. The site is in the South County (Inland) sub area of the South County planning area.			
<b>RECOMMENDED ACTION</b> 1. Adopt the Mitigated Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. 2. Approve Minor Use Permit DRC2014-00097 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
<b>ENVIRONMENTAL DETERMINATION</b> The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on November 25, 2015 for this project. Mitigation measures are proposed to address Aesthetics, Air Quality, Biological Resources, and Cultural Resources and are included as conditions of approval.			
LAND USE CATEGORY Residential Suburban	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 075-281-014	SUPERVISOR DISTRICT(S): 4
<b>PLANNING AREA STANDARDS:</b> 22.98.070 – South County Sub-area Standards, 22.108.060 – Palo Mesa Village Standards <i>Does the project meet applicable Planning Area Standards: Yes - see discussion</i>			
<b>LAND USE ORDINANCE STANDARDS:</b> 22.10.060 – Exterior Lighting, 22.10.140 – Setbacks, 22.10.155 – Stormwater Management <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i>			
<b>FINAL ACTION</b> This tentative decision will become final action on the project, effective on the 15 <sup>th</sup> day following the administrative hearing, or on January 29, 2016, if no hearing was requested unless this decision is changed as a result of information obtained at the hearing or is appealed.			
<small>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING &amp; BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242</small>			

EXISTING USES: Single family residence (to be demolished), animal corrals	
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Suburban/Single family residences <i>East:</i> Residential Suburban/Single family residences <i>South:</i> Residential Suburban/Single family residences <i>West:</i> Agriculture/Irrigated row crops	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: South County Advisory Council, Public Works, CalFire, Cal Trans	
TOPOGRAPHY: Nearly level to steeply sloping	VEGETATION: Grasses, shrubs, eucalyptus
PROPOSED SERVICES: Water supply: Individual well Sewage Disposal: Individual septic system Fire Protection: CalFire	ACCEPTANCE DATE: October 5, 2015

## DISCUSSION

### PROJECT DESCRIPTION

The applicant is requesting a Minor Use Permit to allow for demolition of an existing 1,316 square foot single family residence and construction of a new 4,372 square foot single family residence with 863 square foot attached garage. The proposal includes a side setback adjustment to allow for a 22 foot side setback instead of the required 30 feet. The project will result in the disturbance of approximately 1.07 acres of a 5.16 acre parcel.

### PLANNING AREA STANDARDS

#### 22.98.070 – South County Subarea Standards

Applicable standards within this section of the ordinance include Edge of the Nipomo Mesa and Nipomo Mesa Water Conservation Area Standards. These sections are discussed in detail below.

#### 22.98.070 B – Edge of the Nipomo Mesa

This section contains standards for new development located along the bluff edge of the Nipomo Mesa. These standards include a drainage plan requirement, locating grading and development away from the bluff edge, siting septic systems away from the bluff edge, and requirements for Minor Use Permit approval.

*The applicant has submitted preliminary grading and drainage plans, a drainage report, and Stormwater control plan. These plans have been reviewed by Public Works and recommended conditions of approval for the project to provide final grading and drainage plans based on the construction drawings prepared for construction permits. In order for a project to be reviewed under a zoning clearance or site plan (ministerial permits), development needs to be located away from slopes greater than 15 percent on the bluff edge, setback 50 feet from the top edge and the toe of the slope bank, and direct drainage away from the bluff and toward the interior of the Mesa. Because proposed development will be located within 50-feet of the bluff edge, a Minor Use Permit is required for this project. The project has been conditioned for complete drainage plans and Stormwater compliance at the time of application for construction permits.*

22.98.070 F – Nipomo Mesa Water Conservation Area Standards

This section of the ordinance sets forth standards for water conservation for land divisions and general plan amendments as well as landscape standards for development projects within the water conservation area.

*This project is located within the Palo Mesa Village Reserve Line and is therefore required to provide for irrigation systems with smart controllers and drip irrigation, adhere to turf area limits and comply with Title 19 with regard to water conservation in accordance with this section of the ordinance. Conditions have been added accordingly.*

LAND USE ORDINANCE STANDARDS

22.10.060 – Exterior Lighting

This section sets forth standards for exterior lighting for development projects and includes: lighting is for illumination only, lighting is to be directed onto the lot, minimizing light intensity, shielding of lights, and height limitations for light fixtures.

*A preliminary electrical plan was submitted with the project application; however, specific lighting fixtures and specifications have not been submitted for the Minor Use Permit. The project has been conditioned to meet this section of the ordinance.*

22.10.140 – Setbacks

This section of the ordinance provides the required setbacks for different land uses and land use categories.

*The project site is over five acres in size, so the required setbacks are as follows: 25-foot front, 30-foot sides and rear. As part of this Minor Use Permit application, the applicant is requesting an adjustment to the 30-foot side setback on the north side of the property to allow a 22-foot setback. CalFire has reviewed the request and supports the adjustment. Findings and conditions have been added accordingly.*

22.10.155 – Stormwater Management

This section of the ordinance pertains to areas where Stormwater management is required, when a Stormwater control plan is needed, and specific standards for Stormwater management depending on the size of the development and the amount of impervious surfaces being created.

*The current project is located within the Palo Mesa Village Reserve Line and is proposing over an acre of site disturbance, therefore the standards within this section apply. Conditions have been added based on Public Works and planning staff review of the Stormwater control plan application provided by the applicant (attached).*

COMMUNITY ADVISORY GROUP COMMENTS

The South County Advisory Council supported this project at their March 23, 2015 meeting.

AGENCY REVIEW

**Public Works** – Recommends conditions of approval for drainage, stormwater pollution prevention, and road improvement fees

**CalFire** – CalFire supports the adjustment of the side setback from 30 feet to 22 feet, see attached fire safety plan

**Cal Trans** – No comments received

**Building Division** – See attached referral response

#### LEGAL LOT STATUS

The one lot was legally created by deed at a time when that was a legal method of creating lots.